

## REMARKS

The Applicant provides the following remarks for consideration in further examination of the present application and explanation of the amendments presented herein.

### Claim Rejections – 35 U.S.C. § 112

Claims 15 and 16 were rejected pursuant to 35 U.S.C. § 112 as containing phrase “capable of”. Accordingly, claims 15 and 16 have been amended to replace the phrase as suggested in the office action.

### Claim Rejections – 35 U.S.C. § 102(a) and § 103(a)

Applicant previously elected to prosecute claims 8-21 and 42-56. Claims 8-21, 42 and 44-48 were rejected in the Office Action dated May 9<sup>th</sup>, 2006, under 35 U.S.C. §102(a) over the article entitled, “Corrigo Unveils Compelling Maintenance and Customer Service Solution for Property Managers at MultiTech2000” (“Corrigo”) apparently published March 16, 2000. Remaining claims 43 and 49-56 were rejected under 35 U.S.C. §103(a) over Corrigo in view of U.S. Pat. No. 6,219,648 to Jones, et al. (“Jones”).

Applicant hereby submits a signed Declaration of Prior Invention under 37 C.F.R. §1.131 to “swear behind” Corrigo and thereby eliminate all substantive basis for rejection of the currently pending claims under both 35 U.S.C. §102(a) and §103(a), except for claims 44 and 45. Applicant notes that Corrigo is deficient in both reference to all the claimed features and enabling description, however, Applicant has provided evidence of actual reduction to practice prior to the Corrigo prior art date of March 16, 2000 for all pending claims except 44 and 45.

Applicant submits the following files in existence prior to March 16, 2000, as evidence in support of Applicant’s assertion of prior actual reduction to practice:

application.cfm : supports actual reduction to practice of all claims

accept\_bid.lpa, apv\_work\_thanks.lpa, build\_rfq.lpa, build\_rfq\_thanks.lpa, pm\_apv\_work.lpa,  
pm\_auth\_pay.lpa, pm\_auth\_pay\_thanks.lpa, pm\_review\_bid.lpa, pm\_review\_bid\_thanks.lpa,  
pm\_service\_sum.lpa, rfq2next\_ven.lpa, ten\_apv\_work.lpa, ten\_inc.lpa, ten\_pend\_req.lpa,  
tenant\_req.lpa, tenant\_req\_thanks.lpa, thanks.lpa, update\_inc\_state\_from\_bids.lpa,  
ven\_corr\_2\_ent\_srv.lpa, ven\_dcl\_done.lpa, ven\_dcl\_done\_thanks.lpa, ven\_exten\_circum.lpa,

ven\_home.lpa, ven\_rfq.lpa, ven\_rfq\_decline.lpa, ven\_rfq\_thanks.lpa) : supports actual reduction to practice of claims 8-21 [workflow]

(tenant\_req\_thanks.lpa, build\_rfq\_thanks.lpa) : supports actual reduction to practice of claims 42-44 [propman\_id]

(tenant\_req\_thanks.lpa, build\_rfq\_thanks.lpa) : supports actual reduction to practice of claims 47, 48 [recipient]

(tenant\_req\_thanks.lpa, build\_rfq\_thanks.lpa, fast\_track\_bid.lpa) : supports actual reduction to practice of claims 49-56 [fast track]

Please note that some of the functionality supporting the claims is associated with the database, for example, claims 42-44, 47-56, but its presence is clearly inferred from the attached files.

Applicant believes the subject matter of remaining pending claims 45 and 46 had been conceived of by Applicant prior to Corrigo, however, Applicant has not thus far been able to easily identify suitable evidence of that. Claims 45 and 46 require many specific features not shown in Corrigo. For example, independent claim 45 and therefore dependent claim 46 both require, "identifying, with the property management system, a property manager or property owner by successively reviewing increasingly more general descriptions of the management affiliation of the property until a property manager or property owner is identified". Applicant can not identify anywhere in Corrigo where this feature is recited, therefore Corrigo does not anticipate claims 45 and/or 46, even if it hasn't been clearly demonstrated to not be prior art to these claims as Applicant believes.

### Conclusion

Applicant respectfully asserts that Corrigo is not prior art to the claimed invention of claims 8-21, 42-44 and 47-56 as shown by the attached affidavit and evidence. Furthermore, Corrigo does not contain all the elements of claims 45 and 46. Finally, the claims have been amended to overcome all rejections raised by Examiner, therefore, Applicant requests an indication of allowability.

If the Examiner has any additional questions, he is encouraged to contact the Attorney of Record, Mark A. Thomas, Reg. No. 37, 953.

Respectfully submitted this 9<sup>th</sup> day of October, 2006.

A handwritten signature in cursive script, reading "Mark A. Thomas", written over a horizontal line.

Mark A. Thomas, Esq.  
Registration No. 37,953  
MARK A. THOMAS, P.C.  
10138 South Cottoncreek Drive  
Highlands Ranch, Colorado 80130-3848  
303-470-3838 (TEL), 303-470-3837 (FAX)